



Entered on Docket
December 08, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

GORDON & SILVER, LTD.
GERALD M. GORDON, ESQ.
Nevada Bar No. 229
E-mail: gmg@gordonsilver.com
GREGORY E. GARMAN, ESQ.
Nevada Bar No. 6654
E-mail: geg@gordonsilver.com
3960 Howard Hughes Pkwy., 9th Floor
Las Vegas, Nevada 89169
Telephone (702) 796-5555
Facsimile (702) 369-2666
Attorneys for the Official Committee of Holders of Executory
Contract Rights through USA Commercial Mortgage Company

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

JOINTLY ADMINISTERED
Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

Date: October 19, 2006
Time: 9:30 a.m.

1 Affects:

2 All Debtors

3 USA Commercial Mortgage Company

4 USA Capital Realty Advisors, LLC

4 USA Capital Diversified Trust Deed Fund, LLC

4 USA Capital First Trust Deed Fund, LLC

4 USA Securities, LLC

5 **ORDER APPROVING FIRST INTERIM APPLICATION OF OFFICIAL COMMITTEE**

6 **OF HOLDERS OF EXECUTORY CONTRACT RIGHTS THROUGH USA**

7 **COMMERCIAL MORTGAGE COMPANY FOR REIMBURSEMENT OF EXPENSES**

7 **OF COMMITTEE MEMBERS**

8 The Court having considered the First Interim Application of the Official Committee of

9 Holders of Executory Contract Rights through USA Commercial Mortgage Company for

10 Reimbursement of Expenses of Committee Members (the “Application”) filed by Gordon &

11 Silver, Ltd. on behalf of certain members of the Official Committee of Holders of Executory

12 Contract Rights through USA Commercial Mortgage Company (“Committee”); having reviewed

13 the pleadings, papers and records on file in this matter; having considered the arguments of

14 counsel, and good cause appearing, the Court finds:

16 (i) it has jurisdiction over the matters raised in the Application pursuant to 28

17 U.S.C. §§ 157 and 1334;

18 (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2);

19 (iii) notice of the Application was appropriate under the circumstances; and

20 (iv) upon the record herein after due deliberation thereon, it appearing that good and

21 sufficient cause exists for the granting of the relief as set forth herein,

22 **IT IS HEREBY ORDERED** that:

23 The Application is granted as set forth below:

25 1. Mr. Flier is hereby allowed interim reimbursement of expenses in the

26 amount of \$1,669.17 for the period from May 17, 2006 through August 26, 2006 (the “First

27 Interim Period”);

1 2. Mr. McCollum is hereby allowed interim reimbursement of expenses in
2 the amount of \$1,351.62 for the First Interim Period;

3 3. Mr. Polacheck is hereby allowed interim reimbursement of expenses in the
4 amount of \$629.57 for the First Interim Period;

5 4. Mr. Homfeld is hereby allowed interim reimbursement of expenses in the
6 amount of \$4,145.53 for the First Interim Period; and

7 5. USA Commercial Mortgage Company is hereby authorized and directed
8 to pay forthwith Messrs. Flier, McCollum, Polacheck and Homfeld as set forth herein.

9
10 SUBMITTED BY:

11 GORDON & SILVER, LTD.

12 By: _____

13 
14 GERALD M. GORDON, ESQ.

15 
16 GREGORY R. GARMAN, ESQ.

17 15. Attorneys for the Official Committee of Holders of Executory
18 Contract Rights through USA Commercial Mortgage Company

19 APPROVED/DISAPPROVED:

20 18. Office of the United States Trustee

21 19. By _____

22 20. August B. Landis
23 21. 600 Las Vegas Blvd., So., #430
24 25. Las Vegas, NV 89101

26 27. Counsel for the United States Trustee

28

1 2. Mr. McCollum is hereby allowed interim reimbursement of expenses in
2 the amount of \$1,351.62 for the First Interim Period;

3 3. Mr. Polacheck is hereby allowed interim reimbursement of expenses in the
4 amount of \$629.57 for the First Interim Period;

5 4. Mr. Homfeld is hereby allowed interim reimbursement of expenses in the
6 amount of \$4,145.53 for the First Interim Period; and

7 5. USA Commercial Mortgage Company is hereby authorized and directed
8 to pay forthwith Messrs. Flier, McCollum, Polacheck and Homfeld as set forth herein.

9
10 SUBMITTED BY:

11 GORDON & SILVER, LTD.

12 By:

13 GERALD M. GORDON, ESQ.,
14 GREGORY R. GARMAN, ESQ.
15 Attorneys for the Official Committee of Holders of Executory
16 Contract Rights through USA Commercial Mortgage Company

17 ~~APPROVED/DISAPPROVED:~~

18 Office of the United States Trustee

19 By:

20 
21 August B. Landis
22 600 Las Vegas Blvd., So., #430
23 Las Vegas, NV 89101

24 Counsel for the United States Trustee